



Massachusetts Department of Environmental Protection
Bureau of Resource Protection – Title 5 Permitting
**BRP WP 63 Disposal System Construction Permit for State or Federal
Facilities**
Instructions and Supporting Materials

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Introduction

DEP *Permit Applications*, as well as *Instructions & Support Materials*, are available for download from the DEP Web site at mass.gov/dep in two file formats: Microsoft Word™ and Adobe Acrobat PDF™. Either format allows documents to be printed.

Instructions & Support Materials files in Microsoft Word™ format contain a series of documents that provide guidance on how to prepare a permit application. Although we recommend that you print out the entire package, you may choose to print specific documents by selecting the appropriate page numbers for printing.

Permit Applications in Microsoft Word™ format must be downloaded separately. Users with Microsoft Word™ 97 or later may complete these forms electronically.

Permitting packages in Adobe Acrobat PDF™ format combine *Permit Applications* and *Instructions & Support Materials* in a single document. Adobe Acrobat PDF™ files may only be viewed and printed without alteration. *Permit Applications* in this format may not be completed electronically.



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Permit Fact Sheet

1. What is the purpose of this permit?

This permit is necessary to ensure that the disposal of sanitary sewage through the use of a subsurface sewage disposal system is performed in an environmentally acceptable manner and in accordance with the provisions of Title 5 of the Environmental Code, 310 CMR 15.000.

State and federal facilities must obtain approval from DEP for new systems, upgrade of small systems (less than 10,000 gallons per day), upgrade of large systems (10,000 to 15,000 gallons per day), which are *not* failing, expansion of an existing system, and pumping prior to septic tank, with or without variances pursuant to 310 CMR 15.000. In all cases, time extensions for issued Disposal System Construction Permits, Discontinuance of Percolation Tests, and Certificate of Compliance for state and federal facilities are part of this application.

2. Who must apply?

Any state or federal organization that is required to obtain DEP approval of a proposed subsurface sanitary sewage disposal system in accordance with 310 CMR 15.000.

Upgrades to large failing systems are *not* included as part of this application, such applications are filed under BRP WP 61d.

3. What other requirements should be considered when applying for this permit?

- Local Upgrade Approvals and Variances to Title 5 require notification to abutters prior to the date of submission of the application to DEP and proof of the notification to be submitted (see 310 CMR 15.411 and 15.405).
- A complete site evaluation including, but not limited to, a soil evaluation and percolation test must be completed prior to the issuance of the Disposal System Construction Permit.

Note: These additional requirements are intended to serve as a guide to the applicant. It does not necessarily include all additional requirements.

4. What is the application fee?

The application fee is \$930.

Note: This application and fee is for the approval of up to four (4) systems at one facility or at contiguous facilities (e.g., cottages at a state forest site).



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5. What is the Primary Permit Location? What is the Reserve Copy Location?

Primary Permit Locations:

For BRP WP 63:

Department of Environmental Protection (2 copies)

*** Regional Office**

Title 5 Permitting Program

*See “DEP Addresses and Phone Numbers” page included in this package.

There are no Reserve Copy Locations for these permits.

6. What are the timelines?

As of March 31, 1995 the timelines are:

	AC	T1	T2*
BRP WP 63	30	60	60

*(A second technical review will only be conducted if necessary).

In the case of a state or federal facility which is a residential facility with 4 units or fewer (as described in MGL c.11, s. 31E) and requesting a variance from the local approving authority (DEP): If DEP does not respond to the applicant by the end of the technical review period, such variance request shall be deemed approved. However, no action in violation of Title 5, 310 CMR 15.000 is permitted.

There is no public comment review period for these permits.

7. What is the annual compliance fee?

There is no compliance fee for any of these categories.

8. How long is this permit in effect?

The approved systems must be built within 3 years of the date of issuance of the Disposal System Construction Permit. Provided the systems are built in this time frame, approvals remain valid as long as the systems and facilities served remain unchanged or until DEP revokes or modifies the approval.

9. How can I avoid the most common mistakes made in applying for this permit?

- Review application for completeness to be sure all questions are answered correctly.
- Make sure two (2) copies of plans and specifications are complete and signed and stamped by a Massachusetts Registered Sanitarian or Professional Engineer, whichever is appropriate.
- Attach all forms and information required by the application (i.e Local Upgrade Approval Form, notification to abutters).
- Submit fee and one copy of the DEP Transmittal Form to: Department of Environmental Protection, P. O. Box 4062, Boston, MA 02211.



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10. What are the regulations that apply to this permit? Where can I get copies?

These regulations include, but are not limited to:

- a. Title 5 Regulations, 310 CMR 15.000.
- b. Timely Action Schedule and Fee Provisions, 310 CMR 4.00.

These may be purchased at:

State Bookstore (in State House)
Room 116
Boston, MA 02133
617-727-2834

State Bookstore
436 Dwight Street, Room 102
Springfield, MA 01103
413-784-1376

DEP Regulations may also be obtained from DEP's website at <http://www.mass.gov/dep>.



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Application Completeness Checklist

- ☐ The DEP Transmittal Form is completed.
- ☐ The application form has been completed. The following information has been provided:
 - ☐ Name and address of applicant/owner.
 - ☐ Location (address) of facility.
 - ☐ Name, address and telephone number of design engineer or sanitarian.
 - ☐ A completed Site Evaluation form.
 - ☐ A completed Local Upgrade Approval form, if applicable.
- ☐ Two (2) complete sets of plans and specifications, including a locus map, have been properly signed and stamped by a Massachusetts Registered Professional Engineer or Massachusetts Registered Sanitarian, whichever is appropriate.
- ☐ The required documentation in support of the variance request, if applicable.

To submit the application package:

- ☐ Checklist items have been completed.
- ☐ Send two copies of the application along with one copy from the DEP Transmittal Form to:

Department of Environmental Protection
_____ * Regional Office
Title 5 Permitting Program
*See "DEP Addresses and Phone Numbers" page included in this package.
- ☐ Send fee of \$930 in the form of a check or money order made payable to *Commonwealth of Massachusetts*, along with one copy from the DEP Transmittal Form to:

Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211



Massachusetts Department of Environmental Protection

Addresses and Phone Numbers

DEP Boston
One Winter Street
Boston, MA 02108
Telephone: (617) 292-5500
Fax: (617) 556-1049
TDD: (617) 574-6868

William X. Wall Experiment Station
37 Shattuck Street
Lawrence, MA 01843
Fax: (978) 688-0352
Division of Environmental Analysis
Telephone: (978) 682-5237
Air Quality Surveillance
Telephone: (978) 975-1138

Office of Watershed
Management
627 Main Street
Worcester, MA 01608
Telephone: (508) 792-7470
Fax: (508) 839-3469

DEP Western Region
436 Dwight Street
Suite 402
Springfield, MA 01103
Phone: (413) 784-1100
Fax: (413) 784-1149



Adams
Agawam
Alford
Amherst
Ashfield
Becket
Belchertown
Bernardston
Blandford
Brimfield
Buckland
Charlemont
Cheshire
Chester
Chesterfield
Chicopee
Clarksburg

Colrain
Conway
Cummington
Dalton
Deerfield
Easthampton
East Longmeadow
Egremont
Erving
Florida
Gill
Goshen
Granby
Granville
Great Barrington
Greenfield
Hadley

Hampden
Hancock
Hatfield
Hawley
Heath
Hinsdale
Holland
Holyoke
Huntington
Lanesborough
Lee
Lenox
Leverett
Leyden
Longmeadow
Ludlow
Middlefield

Monroe
Montague
Monterey
Montgomery
Monson
Mount Washington
New Ashford
New Marlborough
New Salem
North Adams
Northampton
Northfield
North Hadley
Orange
Otis
Palmer
Pelham
Peru

Pittsfield
Plainfield
Richmond
Rowe
Russell
Sandisfield
Savoy
Sheffield
Shelburne
Shutesbury
Southampton
South Hadley
Southwick
Springfield
Stockbridge
Sunderland
Tolland

Tyringham
Wales
Ware
Warwick
Washington
Wendell
Westfield
Westhampton
West Springfield
West Stockbridge
Whately
Wilbraham
Williamstown
Windsor
Worthington

DEP Central Region
627 Main Street
Worcester, MA 01608
Phone: (508) 792-7650
Fax: (508) 792-7621
TDD: (508) 767-2788



Acton
Ashburnham
Ashby
Athol
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Ayer
Barre
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Berlin
Blackstone
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Boxborough
Boylston
Brookfield

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Clinton
Douglas
Dudley
Dunstable
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Fitchburg
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Grafton
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Harvard
Hardwick
Holden
Hopedale

Hopkinton
Hubbardston
Hudson
Holliston
Lancaster
Leicester
Leominster
Littleton
Lunenburg
Marlborough
Maynard
Medway
Mendon
Milford

Millbury
Millville
New Braintree
Northborough
Northbridge
North Brookfield
Oakham
Oxford
Paxton
Pepperell
Petersham
Phillipston
Princeton
Royalston

Rutland
Shirley
Shrewsbury
Southborough
Southbridge
Spencer
Sterling
Stow
Sturbridge
Sutton
Templeton
Townsend
Tyngsborough
Upton

Uxbridge
Warren
Webster
Westborough
West Boylston
West Brookfield
Westford
Westminster
Winchendon
Worcester

DEP Southeast Region
20 Riverside Drive
Lakeville, MA 02347
Phone: (508) 946-2700
Fax: (508) 947-6557
TDD: (508) 946-2795



Abington
Acushnet
Attleboro
Avon
Barnstable
Berkley
Bourne
Brewster
Bridgewater
Brockton
Carver
Chatham
Chilmark

Dartmouth
Dennis
Dighton
Duxbury
Eastham
East Bridgewater
Easton
Edgartown
Fairhaven
Fall River
Falmouth
Foxborough
Franklin

Freetown
Gay Head
Gosnold
Halifax
Hanover
Hanson
Harwich
Kingston
Lakeville
Mansfield
Marion
Marshfield
Mashpee

Mattapoisett
Middleborough
Nantucket
New Bedford
North Attleborough
Norton
Norwell
Oak Bluffs
Orleans
Pembroke
Plainville
Plymouth
Plympton

Provincetown
Raynham
Rehoboth
Rochester
Rockland
Sandwich
Scituate
Seekonk
Sharon
Somerset
Stoughton
Swansea
Taunton

Tisbury
Truro
Wareham
Wellfleet
West Bridgewater
Westport
West Tisbury
Whitman
Wrentham
Yarmouth

DEP Northeast Region
One Winter Street
Boston, MA 02108
Telephone: (617) 654-6500
Fax: (617) 556-1049
TDD: (617) 574-6868



Amesbury
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Medford
Melrose

Merrimac
Methuen
Middleton
Millis
Milton
Nahant
Natick
Needham
Newbury
Newburyport
Newton
Norfolk
North Andover
North Reading
Norwood
Peabody

Quincy
Randolph
Reading
Revere
Rockport
Rowley
Salem
Salisbury
Saugus
Sherborn
Somerville
Stoneham
Sudbury
Swampscott
Tewksbury
Topsfield

Wakefield
Walpole
Waltham
Watertown
Wayland
Wellesley
Wenham
West Newbury
Weston
Westwood
Weymouth
Wilmington
Winchester
Winthrop
Woburn



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State or Federal Facilities

Transmittal Number _____

Facility ID (if known) _____

Important:
When filling out
forms on the
computer, use
only the tab key
to move your
cursor - do not
use the return
key.



A. General Information

1. Applicant:

Name

Address

City/Town

State

Zip Code

Telephone

2. Facility Address/Location (if different from applicant):

Address

City/Town

State

Zip Code

3. System Designer Information (Registered Sanitarian [RS] or Professional Engineer [PE] for systems under 2,000 gallons per day; PE for systems 2,000 gallons or more per day):

Name

Company Name

Address

City/Town

State

Zip Code

Telephone

4. Registration:

P.E.

Sanitarian

Registration Number

5. The legal entity which will own facility is: ☐ State/County ☐ Federal ☐ Other:

Specify

6. Does this project require a filing under 301 CMR 11.00 and MGL c. 30, ss 61-62H, the Massachusetts Environmental Policy Act? ☐ Yes ☐ No

If yes, has a filing been made?

☐ Yes

☐ No

If yes, EOE File #



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Transmittal Number _____

Facility ID (if known) _____

A. General Information (cont.)

7. Two complete set of plans and specifications, including a locus map, properly stamped and signed by a Massachusetts Registered Professional Engineer or Massachusetts Registered Sanitarian must accompany the application. Plans must be prepared in accordance with the provisions of 310 CMR 15.220.

Are plans and specifications enclosed? ☐ Yes ☐ No

8. Has a site evaluation been performed which includes, among other things, a percolation test and a soil evaluation by an approved soil evaluator? ☐ Yes (Attach all forms) ☐ No

If yes, was a discontinuance of the percolation test granted pursuant to 310 CMR 15.105(7)?

☐ Yes ☐ No

9. Does the system design require approval of pumping prior to the septic tank pursuant to 310 CMR 15.229? ☐ Yes ☐ No

10. If applying for a Local Upgrade Approval, pursuant to 310 CMR 15.401 through 15.403, a completed DEP approved Local Upgrade Approval form must be submitted with this application.

☐ Yes, Local Upgrade Approval Form attached ☐ No, not requesting Local Upgrade Approval

Note: System upgrades which cannot be performed in accordance with 310 CMR 15.404 and 15.405 require a variance which must be processed in accordance with 310 CMR 15.410 through 15.417.

11. If applying for a variance to Title 5 in accordance with 310 CMR 15.410 the applicant must prove that the strict enforcement of the provision of the Code for which the variance is being sought would result in manifest injustice and that the same degree of environmental protection required under the code can be achieved without strict application of the particular provision.

Also, for new construction, the applicant must prove that enforcement of the provision would deprive the owner of substantially all beneficial use of the property in order to be considered manifestly unjust.

Is documentation in support of meeting this requirement attached? ☐ Yes ☐ No

12. Variance(s) from the following Title 5 provision(s) is/are being sought:

13. If applying for a local variance approval (BRP WP 59b) which requires notification of the abutter to the subject property, a copy of the certified notification sent to the abutters must accompany this application.

Is proof of notification attached? ☐ Yes ☐ No



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Transmittal Number

Facility ID (if known)

B. Certification

"I certify under penalty of law that this document and all attachments, to the best of my knowledge and belief, are true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Applicant's signature

Print Name

Name of Preparer

Date